

January 7, 2011

**VIA ECF FILING**

**The Honorable Kiyo A. Matsumoto  
The Honorable Steven M. Gold  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201**

**RE: In Re: Pamidronate Products Liability Litigation, MDL No.: 2120**

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Dear Judges Matsumoto and Gold:

Pursuant to the status conference held before Chief Magistrate Gold, and resulting docket entry on December 17, 2010, the Plaintiffs represented by the Valad & Vecchione firm (“V&V Plaintiffs”), have this day, for all but three cases, amended their respective pleadings.

The V&V Plaintiffs previously moved to sever the Complaint filed in case number 1:10-cv-00005 (*Wessel, et al. v. APP, et al.*). That motion was granted. However, it appears that no new case numbers were assigned to resulting individual cases on the ECF. Thus some of the Amended Complaints filed today were associated on the ECF with the old case number (1:10-cv-00005).

By this letter the V&V Plaintiffs notify the Court and all counsel of where the Plaintiffs expect the case to eventually be remanded and where venue is proper *should it not be tried in this court*. In each case it is where the Plaintiff resided at the time of filing suit. This is not an admission that the venue state’s law applies for all purposes.

*Berry* (1:10-cv-00005) – Federal District Court Oklahoma.

*Campese* (1:10-cv-00005) – Federal District Court Florida.

*Clark* (1:10-cv-00005) – Federal District Court Texas (Please see below further information on this case.)

*Compton* (1:10-cv-00005) – Federal District Court Tennessee.

*Eckblom* (1:09-cv-05288) – Federal District Court California.

*Gershonowitz* (1:10-cv-00005) – Federal District Court New York.

*Hawkins* (1:10-cv-00005) – Federal District Court Pennsylvania.

*Kruszka* (1:10-cv-00005) – Federal District Court Iowa.

*Lambertson* (1:10-cv-00005) – Federal District Court Maine.

*Patterson* (1:09-cv-05289) – Federal District Court Massachusetts.

*Rodriguez* (1:10-cv-00005) – Federal District Court Texas.

*Venne* (1:10-cv-00005) – Federal District Court Minnesota.

*Warchol* (1:10-cv-00005) – Federal District Court Pennsylvania.

*Wessel* (1:10-cv-00005) – Federal District Court Maryland.

Plaintiffs's counsel has offered to dismiss Plaintiffs Sandra Wilcoxon and Robin Mueller without prejudice, and with each side bearing its own costs and fees.

Finally, unbeknownst to undersigned counsel, Ms. Marie Clark passed early last year. Her son Mitchell Clark was named executor and filed for probate in Texas in March of 2010. He amended that filing in October of 2010. He and his local Texas counsel have indicated to undersigned counsel that he will take all steps in Texas necessary to obtain authority to be substituted into this suit, sign all authorizations and continue with this suit. For this Complaint *only*, undersigned counsel seeks an extension of ninety (90) days to amend and provide authorizations to Defendants.

Faithfully Submitted,

/s/ John J. Vecchione  
John J. Vecchione, Esq.

cc: All counsel of record by ECF